



W.P(MD)No.20937 of 2017

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.08.2024

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THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P(MD)No.20937 of 2017

Risadhudheen

... Petitioner

Vs.

- 1.The State Represented by its
Secretary,
Home Department,
Secretariat,
Fort St. George,
Chennai.
- 2.The Director General of Police,
Beach Road,
Chennai.
- 3.The District Collector,
Ramanathapuram District,
Ramanathapuram.
- 4.The Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.
- 5.The Inspector of Police,
Ramanathapuram Town Police Station,
Ramanathapuram.

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the first respondent to provide employment to the petitioner and consequently direct the respondents 1 to 4 to provide adequate compensation to the tune of Rs.3,00,000/- to the petitioner for his father's death as provided to the other victims' family for his father namely Aboobacker death by considering his representation, dated 22.08.2017 and pass such further order or orders as this Court.

For Petitioner : Mr.S.M.A.Jinnah

For R-1 & R-3 : Mr.J.K.Jeyaselan
Government Advocate

For R-2, R-4 & R-5: Mr.M.Vaikkam Karunanithi

ORDER

The present writ petition is filed for Mandamus, directing the first respondent to provide employment to the petitioner and consequently, direct respondents 1 to 4 to provide adequate compensation to the tune of Rs.3,00,000/- to the petitioner for his father's death as provided to similar victim by considering his representation, dated 22.08.2017.



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2. It is submitted that the petitioner's father, Aboobacker died on 06.11.2012. In October, 2012 the petitioner's father went on a pilgrimage to Eruvadi Darga at Ramanathapuram. At that time, people in Tamil Nadu celebrated the Pasumpon Muthuramalinga Thevar Gurupooja. There was a communal riot on 30.10.2012. It is further submitted that the petitioner's father was attacked during the riot on 31.10.2012. Due to injuries suffered, the petitioner's father was admitted to Intensive Care Unit, where he died on 06.11.2012. The petitioner had to incur medical expenses and additional expenses to the tune of Rs.3,84,383/-.

3. Thereafter, on 15.12.2012, the petitioner's mother gave a representation to the Government to provide adequate compensation for the death of his father. Considering the same, the third respondent passed an order and provided compensation through cheque for a sum of Rs.2,00,000/-. In this regard, on 18.10.2013, the Hon'ble Chief Minister of Tamil Nadu released a press release No.283, dated 18.10.2013 and announced Rs.5,00,000/- to the victims' families and also announced employment to one of the family members of the deceased. The petitioner was however paid only a sum of Rs.2,00,000/-



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towards compensation by the Government and no job was offered by the Government as in the case of family of other victims.

4. In this regard, the petitioner submitted a representation to the Hon'ble Chief Minister on 22.08.2017 to pay the remaining compensation of Rs.3,00,000/- to the petitioner as promised by the Chief Minister in the press release dated 18.10.2013. Since the said representation was not considered, the present writ petition is filed.

5. It was submitted by the learned Government Advocate for the official respondent that the petitioner's representation would be considered and orders would be passed in accordance with law within a period of eight weeks, which was accepted by the learned counsel for the petitioner.

6. In view of the same and taking into consideration the facts and circumstances of the case and the limited relief sought for in this Writ Petition, there shall be a direction to the respondents herein to consider the petitioner's representation dated 22.08.2017, on its own merits and pass appropriate orders in accordance with law, after affording reasonable opportunity of hearing to the



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petitioner and other interested persons/stake holders, within a period of eight (8) weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any views with regard to the merits of the representation and it is open to the concerned respondent to consider the representation on its own merits and in accordance with law.

7. With the above direction, the Writ Petition stands disposed of. There shall be no order as to costs.

21.08.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes
BTR

To

- 1.The Secretary,
Home Department,
Secretariat,
Fort St. George,
Chennai.
- 2.The Director General of Police,
Beach Road,
Chennai.



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- 3.The District Collector,
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- 4.The Superintendent of Police,
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MOHAMMED SHAFFIQ, J.

BTR

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